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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR09-279-RAJ  
10 v. )  
11 MICHAEL JOSEPH GRUNDER, ) SUMMARY REPORT OF U.S.  
12 Defendant. ) MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
13 \_\_\_\_\_ )

14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on July 22, 2011. The United States was represented by AUSA Thomas Woods and the  
16 defendant by Jay Stansell. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about May 18, 2009, by the Honorable John A.  
18 Houston of the Southern District of California on a charge of Transportation of Illegal Aliens  
19 without Presentation and Aiding and Abetting, and sentenced to four months custody, three  
20 years supervised release. (Dkt. 3 at 4.) Jurisdiction was transferred to this Court on August 20,  
21 2009, for defendant to complete his term of supervised release. (Dkt. 1)

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01 The conditions of supervised release included the standard conditions plus the  
02 requirements that defendant submit to search, not enter the Republic of Mexico without  
03 permission, report all vehicles owned or operated, provide a complete disclosure of personal  
04 and business financial records, complete 400 hours of community service, and comply with the  
05 conditions of the House Arrest Program for 4 months. (Dkt. 3 at 7.)

06 The conditions of supervision were modified on February 11, 2010, to require defendant  
07 to submit to drug testing, participate in a substance abuse program, and abstain from alcohol.  
08 (Dkt. 4.) The requirement that defendant perform 400 hours of community service hours was  
09 modified on July 20, 2010, to expand the nature of the programs that would satisfy the  
10 requirement. (Dkt. 5.)

11 In an application dated June 21, 2011 (Dkt. 6, 7), U.S. Probation Officer Monique D.  
12 Neal alleged the following violation of the conditions of supervised release:

13 1. Failing to complete 400 hours of community service as directed, in violation of  
14 the special condition requiring him to do so.

15 Defendant was advised in full as to those charges and as to his constitutional rights.

16 Defendant admitted the violation and waived any evidentiary hearing as to whether it  
17 occurred. Defendant proffered information showing the completion of additional community  
18 service hours since the filing of the violation report.

19 I therefore recommend the Court find defendant violated his supervised release as  
20 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next  
21 hearing will be set before Judge Jones.

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01 Pending a final determination by the Court, defendant has been released on supervision.

02 DATED this 22nd day of July , 2011.

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05 Mary Alice Theiler  
06 United States Magistrate Judge

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08 cc: District Judge: Honorable Richard A. Jones  
09 AUSA: Thomas Woods  
10 Defendant's attorney: Jay Stansell  
11 Probation officer: Monique D. Neal  
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